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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/764,062	01/23/2004	Purva R. Rajkotia	2003.07.007.WS0	7604

23990 7590 05/22/2007
DOCKET CLERK
P.O. DRAWER 800889
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EXAMINER

NGUYEN, KHAI MINH

ART UNIT	PAPER NUMBER
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2617

MAIL DATE	DELIVERY MODE
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05/22/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/764,062

Applicant(s)

RAJKOTIA ET AL.

Examiner

Khai M. Nguyen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-25 have been considered but are moot in view of the new ground(s) of rejection.

Double Patenting

2. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

3. Claims 1-25 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-24 of copending Application No.10/763483, and claims 1-30 of Application No.10/764164. Although the conflicting claims are not identical, they are not patentably distinct from each other because: all the claimed limitations of present Application Serial No. 10/764062 are transparently found in Application No.10/763483, and Application No.10/764164 with obvious wording variation.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kelley et al. (U.S.Pat-6822973) in view of Jang et al. (U.S.Pub-20050007973).

Regarding claims 1, 11, 21, Kelly et al. teaches wireless network comprising a base station, said base stations capable of controlling the use of the reduced slot cycle mode by a mobile station communicating with said base station, wherein said base station comprises:

a reduced slot cycle controller capable of causing said base station to transmit a paging channel message to said mobile station, wherein said paging channel message comprises a first data field containing a first reduced slot cycle index (SCI) value to be used by a first selected mobile station (Figure 1, 3, 4, 5; col. 3, line 3 to 30; col. 5, line 8 to 35; col. 6, line 47 to col. 7, line 67). However, Kelly et al. does not expressly teach the network comprising base stations transmit a paging channel message to plurality of mobile stations. In an analogous art, Jang teaches a network comprising base stations transmit a paging channel message (fig.4, section 305) to plurality of mobile stations (fig.1, paragraph 0029, 0040). Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to modify Kelly et al. to include plurality of base stations and plurality of mobile stations in order to provide an improved

method and system for paging cellular phone or other wireless terminal that reduces standby mode power consumption.

Regarding claims 2, 3, 12, 13, 22, 23, Jang further teaches wherein said paging channel message is a General Page message further comprises a second data field operable to select said first selected mobile station to use said first reduced SCI value (paragraph 0014 (data packets individually contain routing information (address or ID) to direct each packet to the device)).

Regarding claims 4, 14, 24, Jang further teaches wherein said General Page message comprises a plurality of page records, each of said page records associated with one of said plurality of mobile stations (paragraph 0014 (data packets individually contain routing information (address or ID) to direct each packet to the device)).

Regarding claims 5, 15, 25, Kelly further teaches wherein said second data field selects said first selected mobile station to use said first reduced SCI value by associating a first one of said page records with said first reduced SCI value (col. 6, line 47 to col. 7, line 22; col. 11, line 22 to 52; col. 11, line 33 to 52, BS 108 sends a message directed to MS 102, inherently knowing MS 102 identity and therefore the message is addressed to MS 102, and specifying a maximum reduced slotted timer valued).

6. Claims 6-10, 16-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kelly et al. (US Patent No. 6,822,973) in view of Jang et al. (U.S.Pub-20050007973) and further in view of Sinnarajah et al. (US Pub. No. 2005/0014519).

Regarding claims 6, 16, Kelly et al. and Jang teaches wherein said first data field

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contains a first reduced SCI valued to be used by a mobile station in a plurality of mobile stations (Kelly et al., Figure 3, 4, 5, Col. 6, line 47 to col. 7, line 48). However, Kelly et al. and Jang does not expressly teach to be used by a group of mobile stations. In an analogous art, Sinnarajah et al. teaches method and apparatus for short slot cycle paging and further teaches the method to be used by a group of mobile stations (Figure 1, paragraph [0001], [0030]). Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to modify Kelly et al. and Jang to include to be used by a group of mobile stations such as taught by Sinnarajah in order to providing mechanisms to shorten paging cycles for paging a group of target mobile stations.

Regarding claims 7-8, 17-18, Jang further teaches wherein said paging channel message is a General Page message and further comprises a second data field operable to select said first selected group of mobile stations to use said first reduced SCI value (fig.1 and 4, paragraph 0029, 0040).

Regarding claims 9, 19, Jang further teaches wherein said General Page message comprises a plurality of page records, each of said page records associated with one of said plurality of mobile stations (paragraph 0014 (data packets individually contain routing information (address or ID) to direct each packet to the device)).

Regarding claims 10, 20, Jang further teaches wherein said second data field selects said first selected group of mobile stations to use said first reduced SCI value by associating each of said plurality of page records with said first reduced SCI value

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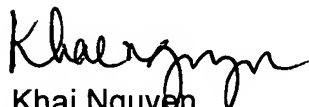
(paragraph 0014 (data packets individually contain routing information (address or ID) to direct each packet to the device)).

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khai M. Nguyen whose telephone number is 571.272.7923. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph feild can be reached on 571.272.4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Khai Nguyen
Au: 2617

JEAN GELIN
PRIMARY EXAMINER



5/4/2007